THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

INNOVATIVE SOLUTIONS
INTERNATIONAL, INC.,

Plaintiff,

v.

HOULIHAN TRADING CO., INC., et al.,

Defendants.

This matter comes before the Court on the submission of deposition testimony designated for use at trial (Dkt. No. 285). The parties seek advance rulings on objections made to the testimony of certain witnesses pursuant to Federal Rule of Civil Procedure 32. (*See generally* Dkt. No. 285.) Accordingly, the Court issues the following rulings:

Dan Cook (30(b)(6) for Cook Int'l Trade & Brokerage)

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
39:1:1-39:15:2 DES1568	Pilgrim's objects under FRE 401-403 (relevance).	OVERRULED.
(Innovative Affirmative)		
56:13:1-57:15:2 DES1574 (Innovative Affirmative)	Pilgrim's objects under FRE 401-403 (relevance) and 602 (speculation).	OVERRULED.

ORDER C22-0296-JCC PAGE - 1

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
57:16:1-57:17:1	(Same as above.) ¹	OVERRULED.
DES1575		
Innovative Affirmative)		
58:19:1-58:25:5	(Same as above.)	OVERRULED.
DES1580		
Innovative Affirmative)		
60:22:1-61:19:5	(Same as above.)	OVERRULED.
DES1581		
Innovative Affirmative)		
62:22:1-63:1:7	(Same as above.)	OVERRULED.
DES1582		
Innovative Affirmative)		
71:10:1-71:12:8	(Same as above.)	OVERRULED.
DES1584	, , , , , , , , , , , , , , , , , , ,	
(Innovative Affirmative)		
71:21:1-71:23:5	(Same as above.)	OVERRULED.
DES1586		
(Innovative Affirmative)		
72:15:1-72:19:4	(Same as above.)	OVERRULED.
DES1587		
Innovative Affirmative)		
73:14:1-73:18:1	Pilgrim's objects under FRE 602	OVERRULED.
DES1588	(speculation).	
(Innovative Affirmative)		
74:19:1-75:14:3	Pilgrim's objects under FRE 401-	OVERRULED.
DES1589	403 (relevance) and 602	
(Innovative Affirmative)	(speculation).	
75:21:1-77:22:3	(Same as above.)	OVERRULED.
DES1590		
(Innovative Affirmative)		
77:23:1-78:11:4	Innovative objects to	OVERRULED.
DES2014	testimony/argument about 584	
(Pilgrim's Counter to	Chicken being classified as "for	
Innovative)	export only," consistent with its	
,	MIL #3.	
81:10:1-81:18:9	Pilgrim's objects under FRE 401-	OVERRULED.
DES1594	403 (relevance) and 602	
(Innovative Affirmative)	(speculation).	
114:21:1-115:1:4	Pilgrim's objects under FRE 801-	OVERRULED.
DES1595	802 (hearsay), 401-403 (relevance),	
(Innovative Affirmative)	and 602 (speculation).	

¹ The notation "(Same as above.)" indicates that the party made the same objection(s) as in the preceding entry. ORDER C22-0296-JCC PAGE - 2

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
118:25:1-119:6:4 DES1596 (Innovative Affirmative)	Pilgrim's objects under FRE 401-403 (relevance) and 602 (speculation).	OVERRULED.

Bryan Griggs (30(b)(6) for Brighton Group)

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
28:7:1-28:9:4	Pilgrim's objects under FRE 401-	OVERRULED.
DES1938	403 (relevance) and 602	
(Houlihan Crossclaim)	(speculation).	
38:23:1-39:1:2	(Same as above.)	OVERRULED.
DES1610		
(Innovative Affirmative)		
59:1:1-59:11:4	(Same as above.)	OVERRULED.
DES2029		
(Houlihan's Counter		
Designation to Pilgrim's)		

Mike Henry (30(b)(6) for Pilgrim's Pride)

Page:Line:Word Range		
Designation I.D.	Nature of Objection	Ruling
(Designation Party)	reactive of Objection	Kunng
9:4:1-10:5:2	Pilgrim's objects under FRE 401-	OVERRULED.
DES1418	403 (relevance).	0 , 21210 222 ,
(Innovative Affirmative)		
27:6:1-27:9:2	Pilgrim's objects under FRE 602	OVERRULED.
DES1421	(speculation).	
(Innovative Affirmative)		
31:5:1-31:8:2	Pilgrim's objects under FRE 401-	OVERRULED.
DES1422	403 (relevance).	
(Innovative Affirmative)	, ,	
31:13:3-31:18:2	(Same as above.)	OVERRULED.
DES1423		
(Innovative Affirmative)		
44:6:1-44:18:4	(Same as above.)	DEFERRED. Pilgrim's
DES1424		appears to take issue with
(Innovative Affirmative)		the underlying exhibit. As
		such, the Court DEFERS
		ruling until the exhibit is
		presented at trial.

ORDER C22-0296-JCC PAGE - 3

1 2

Page:Line:Word Range Designation I.D.	Nature of Objection	Ruling
(Designating Party)		
47:18:1-48:16:3	(Same as above.)	OVERRULED.
DES1426		
(Innovative Affirmative)		
52:2:1-52:10:4	Pilgrim's objects under FRE 401-	OVERRULED.
DES1427	403 (relevance) and 602	
(Innovative Affirmative)	(speculation).	
53:25:1-54:11:4	Pilgrim's objects under FRE 401-	OVERRULED.
DES1428	403 (relevance).	
(Innovative Affirmative)		
54:19:1-54:22:5	(Same as above.)	OVERRULED.
DES1429		
(Innovative Affirmative)		
55:2:1-55:12:4	(Same as above.)	OVERRULED.
DES1430		
(Innovative Affirmative)		
60:4:3-60:9:1	Pilgrim's objects under FRE 401-	OVERRULED.
DES1431	403 (relevance) and 701 (improper	
(Innovative Affirmative)	lay opinion).	
<u>Cara Hu</u>	ntsman (30(b)(6) for Henley's Whole	esale Meats)
Page:Line:Word Range		
Designation I.D.	Nature of Objection	Ruling
(Designating Party)	** ***	OVERNAVE
25.21.1-26.2.8	Houlihan objects under FRF 602	OVERRILLED

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
25:21:1-26:2:8	Houlihan objects under FRE 602	OVERRULED.
DES1333	(speculation).	
(Pilgrim's Affirmative)		
36:3:1-36:6:7	Pilgrim's objects under FRE 602	OVERRULED.
DES2031	(speculation) and 703 (improper	
(Houlihan and Innovative	opinion testimony).	
Counter Designation to		
Pilgrim's)		
43:18:1-44:12:9	Innovative objects under FRE 801-	OVERRULED. Not
DES1269	802 (hearsay).	offered for hearsay purpose.
(Pilgrim's Initial &		
Counter Designation to		
Innovative)		
44:20:1-45:8:4	(Same as above.)	OVERRULED. Not
DES1270		offered for hearsay purpose
(Pilgrim's Initial &		but for its effect on the
Counter Designation to		listener.
Innovative)		

1	Page:Line:Word Range Designation I.D.	Nature of Objection	Ruling
2	(Designating Party)	(0 1)	OVERDIN ED M
3	45:12:1-46:20:2	(Same as above.)	OVERRULED. Not
3	DES1280		offered for hearsay purpose but for its effect on the
4	(Pilgrim's Initial &		listener.
	Counter Designation to Innovative)		listeller.
5	61:11:1-62:5:5	Pilgrim's objects under FRE 401-	SUSTAINED.
	DES1791	403 (relevance) and 602	SUSTAINED.
6	(Innovative Affirmative)	(speculation).	
7	78:1:1-78:23:3	Innovative objects under FRE 401-	OVERRULED.
′	DES1284, 2017	403 (relevance)	OVERRULED.
8	(Pilgrim's Initial &	403 (refevance)	
	Counter Designation to		
9	Innovative)		
10	81:8:1-81:15:9	Houlihan objects under FRE 401-	OVERRULED.
10	DES1344	403 (relevance) and 602	OVERRELED.
11	(Pilgrim's Initial &	(speculation).	
	Counter Designation to	(Specialization).	
12	Innovative)		
13	81:22:1-82:17:1	Innovative objects under FRE 401-	OVERRULED.
13	DES1285	403 (relevance).	
14	(Pilgrim's Initial &		
	Counter Designation to		
15	Innovative)		
16	98:8:1-98:12:6	Pilgrim's objects under FRE 401-	OVERRULED.
10	DES-1809	403 (relevance).	
17	(Innovative Affirmative)		
	99:23:1-100:7:2	(Same as above.)	OVERRULED.
18	DES1810		
10	(Innovative Affirmative)		
19	108:16:1-109:3:5	Pilgrim's objects under FRE 401-	OVERRULED.
20	DES1813	403 (relevance) and 602	
_	(Innovative Affirmative)	(speculation).	
21	115:1:1-116:21:6	Pilgrim's objects under FRE 801-	OVERRULED. Not
	DES1814	802 (hearsay), 401-403 (relevance),	offered for hearsay purpose.
22	(Innovative Affirmative)	and 602 (speculation).	
23	117:13:1-118:25:5	(Same as above.)	OVERRULED. Not
23	DES1815		offered for hearsay purpose.
24	(Innovative Affirmative)		
_	119:3:1-119:5:4	(Same as above.)	OVERRULED.
25	DES1816		
26	(Innovative Affirmative)		

Billy Marcus (30(b)(6) for Marcus Technologies)

Page:Line:Word Range Designation I.D.	Nature of Objection	Ruling
(Designating Party)	Nature of Objection	Kunng
39:23:1-43:22:5	Pilgrim's objects under FRE 401-	OVERRULED.
DES1688	403 (relevance) and 602	
(Innovative Affirmative)	(speculation).	
49:7:1-50:15:8	(Same as above.)	OVERRULED.
DES1690		
(Innovative Affirmative)		
50:20:1-51:5:2	(Same as above.)	OVERRULED.
DES1691		
(Innovative Affirmative)		
57:11:1-57:23:6	Innovative objects under FRE 401-	OVERRULED.
DES1306	403 (relevance).	
(Pilgrim's Initial)		
67:15:1-68:7:5	Pilgrim's objects to both under FRE	OVERRULED.
DES1697, 1921	401-403 (relevance) and 602	
(Innovative Affirmative;	(speculation).	
Houlihan Crossclaim)		

Dolan Patterson

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
17:6:1-17:24:3 DES1435, 1943 (Innovative Affirmative; Houlihan Crossclaim)	Pilgrim's objects under FRE 401-403 (relevance).	OVERRULED.
18:15:1-18:17:2 DES1436, 1944 (Innovative Affirmative; Houlihan Crossclaim)	Pilgrim's objects under FRE 401-403 (relevance) and 602 (speculation).	OVERRULED.
19:3:1-19:18:4 DES1945 (Houlihan Crossclaim)	(Same as above.)	OVERRULED.
21:7:1-21:18:1 DES1438 (Innovative Affirmative)	Pilgrim's objects under FRE 401-403 (relevance).	DEFERRED. Pilgrim's appears to take issue with the underlying exhibit. As such, the Court DEFERS ruling until the exhibit is presented at trial.

ORDER C22-0296-JCC PAGE - 6

1	Page:Line:Word Range		
1	Designation I.D.	Nature of Objection	Ruling
2	(Designating Party)		
	22:1:1-22:17:6	(Same as above.)	OVERRULED.
3	DES1439		
4	(Innovative Affirmative)		
4	22:24:1-23:8:4	Pilgrim's objects under FRE 401-	OVERRULED.
5	DES1441	403 (relevance) and 602	
	(Innovative Affirmative)	(speculation).	
6	23:1:1-24:19:2	Pilgrim's objects under FRE 401-	OVERRULED.
_	DES1442, 1443, 1946	403 (relevance).	
7	(Innovative Affirmative;		
8	Houlihan Crossclaim at		
	24:3:1-24:19:2)		
9	25:6:1-26:1:2	Pilgrim's objects under FRE 401-	OVERRULED.
10	DES1444, 1947	403 (relevance) and 602	
10	(Innovative Affirmative;	(speculation).	
11	Houlihan Crossclaim at		
11	25:13:1-26:1:2) 26:19:1-27:15:5	Dilamina?a alaisata ya dan EDE 401	OVERRULED.
12		Pilgrim's objects under FRE 401-	OVERRULED.
	DES1445, 1948 (Innovative Affirmative;	403 (relevance).	
13	Houlihan Crossclaim at		
14	26:25:1-27:5:6)		
17	27:23:1-29:6:5	(Same as above.)	OVERRULED.
15	DES1446	(Same as above.)	OVERRULED.
	(Innovative Affirmative)		
16	29:10:1-29:25:3	(Same as above.)	OVERRULED.
17	DES1447	(Sume as assive.)	o v Elitto EED.
1 /	(Innovative Affirmative)		
18	32:12:1-33:16:7	(Same as above.)	OVERRULED.
	DES1448	(
19	(Innovative Affirmative)		
20	33:25:1-36:21:6	Pilgrim's objects under FRE 401-	OVERRULED.
20	DES1449, 1450, 1451,	403 (relevance) and 602	
21	1452, 1949	(speculation).	
	(Innovative Affirmative;		
22	Houlihan Crossclaim at		
22	35:5:1-35:13:6)		
23	45:16:1-46:13:2	Pilgrim's objects under FRE 401-	OVERRULED.
24	DES1454, 1950	403 (relevance).	
	(Innovative Affirmative;		
25	Houlihan Crossclaim)		

1	Page:Line:Word Range Designation I.D.	Nature of Objection	Ruling
2	(Designation Party)	Nature of Objection	Kunng
	47:2:1-47:12:6	(Same as above.)	OVERRULED.
3	DES1455, 1951		
4	(Houlihan Crossclaim;		
7	Innovative Affirmative at		
5	47:2:1-47:9:3) 47:18:1-48:8:7	(Same as above.)	OVERRULED.
	DES1456, 1952	(Same as above.)	OVERRULED.
6	(Innovative Affirmative;		
7	Houlihan Crossclaim)		
	49:1:1-49:15:5	Pilgrim's objects under FRE 401-	OVERRULED.
8	DES1457	403 (relevance) and 602	
9	(Innovative Affirmative)	(speculation).	
	50:7:1-52:3:6	Pilgrim's objects under FRE 401-	OVERRULED.
10	DES1458, 1459	403 (relevance).	
11	(Innovative Affirmative)	(0 1	OVEDDIH ED
11	54:7:1-58:25:2 DES 1460 64 1052	(Same as above.)	OVERRULED.
12	DES1460–64, 1953, 1954		
12	(Innovative Affirmative;		
13	Houlihan Crossclaim at		
14	54:16:1-54:25:7 and		
	56:11:1-58:3:9)		
15	59:1:1-59:11:2	Pilgrim's objects under FRE 401-	OVERRULED.
16	DES—1465, 1955	403 (relevance) and 701 (improper	
	(Houlihan Crossclaim;	lay opinion).	
17	Innovative Affirmative at		
18	59:1:1-59:7:7)	Dilamina 2 - 11 - 14 - 14 - 15 EDE 401	OVEDDIH ED
10	63:16:1-65:25:4 DES1467–69	Pilgrim's objects under FRE 401-403 (relevance) and 602	OVERRULED.
19	(Innovative Affirmative)	(speculation).	
20	66:1:1-66:4:4	Houlihan objects under FRE 401-	OVERRULED.
20	DES1470	403 (relevance) and 602	0,2222
21	(Innovative Affirmative)	(speculation).	
22	66:24:1-67:17:2	Pilgrim's objects under FRE 401-	OVERRULED.
22	DES1471	403 (relevance) and 602	
23	(Innovative Affirmative)	(speculation).	
	67:25:1-68:8:1	Pilgrim's objects under FRE 401-	OVERRULED.
24	DES1472	403 (relevance).	
25	(Innovative Affirmative) 68:12:1-69:23:11	Pilgrim's objects under FRE 401-	OVERRULED.
23	DES1473, 1474	403 (relevance) and 602	OVERRULED.
26	(Innovative Affirmative)	(speculation).	
		(-F),	1

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
74:12:1-74:16:4 DES1475 (Innovative Affirmative)	Pilgrim's objects under FRE 401-403 (relevance).	DEFERRED. Pilgrim's appears to take issue with the underlying exhibit. As such, the Court DEFERS ruling until the exhibit is presented at trial.
75:2:1-76:2:2 DES1476 (Innovative Affirmative)	(Same as above.)	OVERRULED.
76:11:1-77:3:11 DES1477 (Innovative Affirmative)	(Same as above.)	OVERRULED.
77:10:1-78:9:2 DES1478, 1479 (Innovative Affirmative)	(Same as above.)	OVERRULED.
88:12:1-89:18:5 DES—1480, 1481 (Innovative Affirmative)	(Same as above.)	OVERRULED.
100:5:1-100:10:2 DES1484 (Innovative Affirmative)	(Same as above.)	OVERRULED.

Page:Line:Word Range Designation I.D.	Nature of Objection	Ruling
(Designating Party)		
54:23:1-55:1:2	Pilgrim's objects under FRE 401-	OVERRULED.
DES1725, 1972	403 (relevance).	
(Innovative Affirmative;		
Houlihan Crossclaim)		
57:18:1-58:7:5	(Same as above.)	OVERRULED.
DES1726		
(Innovative Affirmative)		
59:7:1-59:22:7	(Same as above.)	OVERRULED.
DES1728		
(Innovative Affirmative)		
60:7:1-60:10:2	Pilgrim's objects under FRE 401-	OVERRULED.
DES1729	403 (relevance) and 602	
(Innovative Affirmative)	(speculation).	
65:7:1-65:15:2	(Same as above.)	OVERRULED.
DES1730		
(Innovative Affirmative)		

			.
1	Page:Line:Word Range		יו ח
$_{2}$	Designation I.D. (Designating Party)	Nature of Objection	Ruling
2	65:16:1-65:25:2	(Same as above.)	OVERRULED.
3	DES1731, 1973	,	
	(Houlihan Crossclaim;		
4	Innovative Affirmative at		
5	65:21:1-65:25:2)		
3	74:6:1-76:15:11	Pilgrim's objects under FRE 401-	SUSTAINED in part.
6	DES1733, 1975	403 (relevance), FRE 602	Statement at 75:9:1-75:10:8
	(Innovative Affirmative;	(speculation), FRE 801-802	is being offered for hearsay
7	Houlihan Crossclaim at	(hearsay).	purpose. OVERRULED on
0	74:13:1-76:15:11)		everything else.
8	78:11:1-78:16:2	(Same as above.)	OVERRULED.
9	DES1734		
	(Innovative Affirmative)		
10	80:11:1-80:14:5 and	Pilgrim's objects under FRE 401-	OVERRULED.
11	80:20:1-80:23:3	403 (relevance) and 602	
11	DES1738, 1739	(speculation).	
12	(Innovative Affirmative)		
12	91:2:1-91:24:3	(Same as above.)	OVERRULED.
13	DES1741, 1977		
	(Innovative Affirmative;		
14	Houlihan Crossclaim)	(2	
15	92:5:1-92:24:6	(Same as above.)	OVERRULED.
	DES1742, 1978		
16	(Innovative Affirmative;		
	Houlihan Crossclaim at		
17	92:5:1-92:22:2) 97:7:1-98:9:2	Pilgrim's objects under FRE 602	OVERRULED.
18	DES1743	(speculation).	OVERRULED.
	(Innovative Affirmative)	(speculation).	
19	104:11:1-104:25:8 and	Innovative objects under FRE 801-	OVERRULED. Not
20	105:6:1-105:20:2	802 (hearsay).	offered for hearsay purpose.
20	DES2018, 2019	602 (nearsay).	officied for ficuracy purpose.
21	(Pilgrim's Counter to		
	Innovative)		
22	108:18:1-108:19:3 and	Pilgrim's objects under FRE 401-	OVERRULED.
	109:1:1-109:13:2	403 (relevance), 602 (speculation),	
23	DES1747, 1748	and 703 (improper lay opinion).	
24	(Innovative Affirmative)		
- '	120:1:1-120:9:8	Pilgrim's objects under FRE 602	OVERRULED.
25	DES1749	(speculation) and 703 (improper lay	
	(Innovative Affirmative)	opinion).	
26			

1	Page:Line:Word Range		
1	Designation I.D.	Nature of Objection	Ruling
2	(Designating Party)		
	150:1:1-150:14:2	Pilgrim's objects under FRE 401-	OVERRULED.
3	DES1752	403 (relevance) and 602	
	(Innovative Affirmative)	(speculation).	
4	154:1:1-154:4:2	(Same as above.)	OVERRULED.
5	DES1753, 1981		
3	(Innovative Affirmative;		
6	Houlihan Crossclaim)		
	154:9:1-154:13:2	Pilgrim's objects under FRE 401-	OVERRULED.
7	DES1754, 1982	403 (relevance), 602 (speculation),	
	(Innovative Affirmative;	and 703 (improper lay opinion).	
8	Houlihan Crossclaim)		
9	157:3:1-157:4:5 and	Innovative objects under FRE 401-	DEFERRED. Witness said
,	157:7:1-157:19:3	403 (relevance).	he was convicted in
10	DES1299, 1300, 2020,	,	connection with the 2008
	2021		financial crisis, but it is
11	(Pilgrim's Initial &		unclear when exactly he
	Counter to Innovative)		was convicted (or released).
12	<u> </u>		The Court must ascertain at
13			trial if 10 years have passed
13			since witness' conviction
14			and/or release (whichever is
			later).
15			1

Jason Larson (30(b)(6) for Trader Joe's)

Page:Line:Word Range Designation I.D. (Designating Party)	Nature of Objection	Ruling
84:5:1-84:20:4	Pilgrim's objects under FRE 602	OVERRULED.
DES2037	(speculation).	
(Innovative Affirmative)		
84:21:1-85:10:1	Pilgrim's objects under FRE 602	OVERRULED.
DES2038	(speculation) and 703 (improper	
(Innovative Affirmative)	opinion testimony).	
97:25:1-99:15:3	Innovative objects under FRE 401-	DEFERRED until the
DES1263	403 (relevance) and 602	Court can see a copy of
(Pilgrim's Counter to	(speculation).	Exhibit 71.
Innovative)		

ORDER C22-0296-JCC PAGE - 11

John C. Coughenour
UNITED STATES DISTRICT JUDGE

DATED this 19th day of November 2024.